UNITED NATIONS

General Assembly

FORTY-FIFTH SESSION

Official Records

THIRD COMMITTEE
61st meeting
held on
Monday, 3 December 1990
at 4 p.m.
New York

SUMMARY RECORD OF THE 61st MEETING

Chairman: Mr. SOMAVIA (Chile)

CONTENTS

AGENDA ITEM 110: ENHANCING THE EFFECTIVENESS OF THE PRINCIPLE OF PERIODIC AND GENUINE ELECTIONS (continued)

This record is subject to correction.
Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, Room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.3/45/SR.61
12 December 1990
ENGLISH
ORIGINAL: FRENCH

90-57491 3370S (E)

The meeting was called to order at 5.40 p.m.

AGENDA ITEM 110: ENHANCING THE EFFECTIVENESS OF THE PRINCIPLE OF PERIODIC AND GENUINE ELECTIONS (continued) (A/C.3/45/L.56, L.96* (reissued) and L.99)

Draft resolution A/C.3/45/L.56, amendments in document A/C.3/45/L.96* and sub-amendments in document A/C.3/45/L.99

1. The CHAIRMAN said it would be recalled that draft resolution A/C.3/45/L.56 had been introduced by the representative of the United States at the 49th meeting, on 21 November, on behalf of the sponsors, now joined by Australia, Haiti, Honduras, Malta, Portugal and Saint Kitts and Nevis.

2. Amendments to that draft resolution had been submitted in document A/C.3/45/L.96* introduced at the 55th meeting, on 28 November, by the representative of Cuba, now joined by Lesotho, the United Republic of Tanzania, Zambia and Zimbabwe.

3. The Committee also had before it the text of sub-amendments (A/C.3/45/L.99), introduced by the representative of the United States at the 59th meeting.

Sub-amendments in document A/C.3/45/L.99

4. The CHAIRMAN invited the Committee to take a decision on the sub-amendments as a whole, and called on those delegations which so wished to explain their vote before the vote.

5. Mr. PEÑALOSA (Colombia) said that the Committee had to take a decision on a draft resolution whose sole purpose seemed to be for the Secretary-General to examine suitable approaches that would permit the Organization to respond to the requests of Member States for electoral assistance. There would be no reason to oppose such a praiseworthy idea except that, as everyone knew, the real intention of the sponsors was to institutionalize the participation - in principle, technical participation - of the Organization in the elections of its Member States. However, sovereignty, the right of self-determination and the independence of States and peoples were fundamental elements of the Charter. Thus, the national electoral processes were a matter only for the domestic jurisdiction of States and were the expression of their sovereignty. That was why the Committee could not accept initiatives which threatened in one way or another to undermine the sovereign rights of each State freely to choose and develop its political system.

6. United Nations participation in elections had never stemmed from a right or an established practice, but rather from very particular circumstances - decolonization or the peace process. In such cases, Colombia supported the granting of specific assistance by the Organization. The United Nations could also legitimately refuse to satisfy a particular request. Nevertheless, it would be dangerous to generalize and institutionalize such assistance. That might provide certain circles with an additional means of interfering in the internal affairs of States or opposing the self-determination of States and peoples, of

(Mr. Peñalosa, Colombia)

justifying the subjection of political institutions and national laws to models imposed from the outside and enabling Governments formed as a result of fraudulent elections to legitimize their existence through the intermediary of the Organization, whose credibility would thereby be seriously threatened.

7. Elections should be viewed in the light of international law, the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. It was regrettable that certain countries had not yet ratified the Covenant, and the efforts exerted with regard to elections would be much better employed in encouraging States to accede to that instrument. For all those reasons, Colombia would be unable to vote in favour of the texts submitted.

8. Mr. COTTAFAVI (Italy) expressed surprise at the statement by the representative of Colombia and read out, as an example, paragraphs 3, 4 and 5 of the draft resolution as it would be in its amended form, which in no way justified the concerns expressed by the Colombian delegation.

9. Mr. ZAWACKI (Poland) expressed support for the sub-amendments, which, together with the amendments in document A/C.3/45/L.96*, would help to make draft resolution A/C.3/45/L.56 a well-balanced text, drafted in a spirit of compromise. His delegation therefore hoped that it would be adopted by consensus.

10. Mr. LUNA (Peru) said that his delegation would abstain in the vote on documents A/C.3/45/L.56, L.96* and L.99. He emphasized that Peru enjoyed genuine representative democracy and accordingly felt entitled to express his Government's conviction that any mechanism, such as the organization of elections, aimed at enhancing representative democracy was exclusively a matter for States. It was for them to determine electoral procedures, in accordance with their constitutions. That issue was closely linked with respect for Article 2, paragraph 7, of the Charter.

11. The countries of the Rio Group had drafted amendments with that purpose in mind; if their proposals had been duly taken into account, they would have provided the Organization with valuable guidelines. Draft resolution A/C.3/45/L.56, as currently worded, constituted a first step on the dangerous path of institutionalized electoral assistance provided by the United Nations on the basis of universal models and practices which would inevitably conflict with the sovereignty of States.

12. So far, the United Nations had provided assistance only to those States which had so requested, in the full exercise of their sovereignty. That should be the policy of the United Nations if it was to continue to contribute to democracy and pluralism.

13. With the approval by consensus in 1989 of the principle of periodic and genuine elections, it had not been the intention to establish machinery for assistance within the United Nations Secretariat. The study called for in the draft resolution touched upon absolutely essential aspects of the sovereign right of each people to choose its government.

/...

READEX FICHE

(Mr. Luna, Peru)

14. Far from defending realistically a universal democratic principle, the United Nations ran the risk of politicizing "technical" assistance provided by the Secretariat without regard for the diversity of political cultures, which should be an overriding consideration.

15. Mr. AYALA LASSO (Ecuador) said there was no doubt that Latin America was currently experiencing an extraordinary period of flourishing democracy. Countries in which a democratic régime was being re-established after a long interval were seeking to restore respect for legality and to overcome the innumerable difficulties faced in building a just, free, independent and sovereign society. In his delegation's view, the capacity of a people to exercise its right to develop its own political system and to choose its government was an essential characteristic of democracy. That was why Ecuador had for many years supported draft resolutions aimed at enhancing the effectiveness of the principle of periodic and genuine elections. It would have liked to be able, at the current session, once again to vote in favour of the draft texts submitted under item 110 but it had, together with other Latin American countries, put forward views regarding draft resolution A/C.3/45/L.56 which were aimed not only at enhancing the effectiveness of the principle of periodic and genuine elections but also at preventing assistance provided by the United Nations at the request of Member States from giving rise to unwarranted interpretations and practices.

16. Ecuador reiterated its unswerving belief in democracy and its conviction that participation of the people in the electoral process was a vital element of the building of democracy. The organization of electoral processes was so closely bound up with national sovereignty - understood as the right to choose without interference in the internal affairs of States - that any bending of that principle must be avoided. Accordingly, Ecuador would abstain from the vote on draft resolution A/C.3/45/L.56 and on the proposed amendments and sub-amendments.

17. Mrs. DU Yong (China) said that her country would vote against the sub-amendments contained in document A/C.3/45/L.99, because it believed that, according to the principles of the Charter of the United Nations, the Organization did not have the mandate to intervene in the electoral matters of Member States. So far there had been no need for the United Nations to provide electoral assistance to States, except in connection with arrangements relating to the decolonization process and the resolution of regional conflicts that jeopardized world or regional peace and security. There was therefore no need to ask the Secretary-General to seek the views of Member States concerning approaches to electoral assistance. It would not be in keeping with the principles of the Charter of the United Nations to seek to expand the procedures adopted by the United Nations in exceptional cases and to institutionalize its role in electoral procedures. Her delegation considered that electoral matters were part of the internal affairs of a sovereign State and that a State had the right to choose its own political system and electoral system in the light of its national conditions and according to the will of its people. That right should not be subject to any form of external interference.

18. Mr. MONTAÑO (Mexico) said that the best way of strengthening the effectiveness of the principle of periodic and genuine elections would be for all States to accede to the International Covenant on Civil and Political Rights. Organization of the electoral process fell within the domestic jurisdiction of a State and was the responsibility of the people. Draft resolution A/C.3/45/L.56 and the amendments and sub-amendments thereto were part of the efforts to expand the activities of the United Nations in the area of electoral processes. Supporters of such expansion argued that the organization and supervision of elections had been central to certain peace processes which had been placed under the auspices of the Organization and also that the number of States requesting electoral assistance was increasing. However, his delegation was convinced that a clear distinction must be drawn between the two cases.

19. It was essential that States should expressly ask for United Nations assistance and Mexico therefore could not subscribe to draft resolution A/C.3/45/L.56 which requested the Secretary-General to seek the views of bodies which did not normally speak for Member States. He reiterated that the major principles which should govern United Nations action in respect of electoral processes were: respect for national sovereignty, non-interference in domestic affairs and the right of States to freely choose and work out their political, social, economic and cultural systems.

20. There was no single political system or mechanism which would suit all nations and peoples equally well; moreover, any action which constituted intervention in the smooth running of national electoral processes or which jeopardized their outcome was not in keeping with the spirit and letter of international law and with Article 2, paragraph 7, of the Charter of the United Nations. For those reasons, his delegation would not vote for draft resolution A/C.3/45/L.56 or for the amendments and sub-amendments.

21. Mr. KHODAKOV (Union of Soviet Socialist Republics) said that his delegation had participated in the drafting of draft resolution A/C.3/45/L.56 out of support for the principles of openness and transparency in international relations and a concern to see that openness and transparency extended to international co-operation in the field of human rights.

22. His delegation supported the sub-amendments contained in document A/C.3/45/L.99, for they would make it possible to take account of the views of the sponsors of the initial draft resolution and also to introduce into the draft a number of the provisions from resolution 44/146 which other countries were anxious to see included. The final text would thus be a balanced one and would dispel, in particular, the misgivings of some countries concerning the intentions of the sponsors. The Committee would then have a sound basis for constructive efforts to strengthen the effectiveness of the principle of periodic and genuine elections. The USSR felt, as did other delegations, that the United Nations could provide electoral assistance to States - depending on the outcome of the survey to be carried out by the Secretary-General, if the draft resolution was adopted - only if requested to do so by a given Government.

23. Mr. MORA-GODOY (Cuba) said that his delegation would vote against the sub-amendments contained in document A/C.3/45/L.99. It was in favour of paragraphs 2 and 4 of the document but, for reasons of procedure, the vote was to be taken on the document as a whole.

24. With regard to paragraph 1, he pointed out that the Secretary-General's opinion concerning electoral processes was certainly not shared by all delegations. Those processes were the sole responsibility of States and peoples; the latter must be able freely to choose their political, economic and social systems without interference, in accordance with Article 2, paragraph 7 of the Charter of the United Nations. Any attempt to establish a supra-national mechanism under cover of a new world order was contrary to the very essence of the principles set forth in the Charter. While the report of the Secretary-General on the work of the Organization was a reference document, it was not one which had been prepared in response to a request by States and there was therefore no need to take note of the comments it contained. The Secretary-General had referred to the issue of elections within a very specific context, that of international conflicts and peace-keeping operations; those issues were not within the competence of the Third Committee. Moreover, the Secretary-General had pointed out that peace-keeping operations were justified only if a conflict had an international dimension. So far the activities which had given rise or which might give rise to supervision of electoral processes had always fallen within the context of the settlement of an international conflict, save in one case where a State had requested technical assistance. States had the right to request technical assistance from the Organization; in such cases the General Assembly should take an ad hoc decision.

25. Paragraph 3 of the sub-amendments was unacceptable; it totally contradicted the amendment proposed by Cuba in document A/C.3/45/L.96*, which was justified on procedural and also substantive grounds. With regard to procedure, draft resolution A/C.3/45/L.56 contradicted resolution 44/146 in which the General Assembly entrusted consideration of the means of enhancing the effectiveness of the principle of periodic and genuine elections to the Commission on Human Rights. The Commission had not considered nor had it recommended measures to the General Assembly; no State had asked it to do so at its forty-sixth session. Cuba therefore did not understand why certain States should insist on bringing the matter directly to the General Assembly. With regard to the substance, the purpose of paragraph 3 was to establish, in the medium-term, supra-national mechanisms which were incompatible with the principles of the Charter of the United Nations. The text of draft resolution A/C.3/45/L.56 was not explicit on the subject, but earlier versions of the draft had referred to designating a special co-ordinator for elections, establishing an electoral commission within the framework of the Organization, establishing a special electoral assistance programme and having the Security Council participate directly in assistance operations.

26. Paragraph 5 of the sub-amendments was also unacceptable because the amendment which would thus be modified aimed precisely at reiterating the request made in 1989 to the Commission on Human Rights. Moreover, in the initial draft resolution, there was question of inviting the Secretary-General to carry out a study which was incompatible with Article 2, paragraph 7, of the Charter. Lastly, the misgivings expressed by many delegations had not been taken into account.

(Mr. Mora-Godoy, Cuba)

27. To sum up, document A/C.3/45/L.99 was far from innocent. Cuba hoped that delegations would oppose it, bearing in mind the achievements of the peoples over the centuries, namely, independence, national sovereignty and the principle of respect for non-interference.

28. Miss ZINDOGA (Zimbabwe) said that her delegation would vote against the sub-amendments (A/C.3/45/L.99) because the United Nations was in no case empowered to establish a mechanism that would interfere in the electoral process of a country. Zimbabwe held elections every five years, without requiring the least bit of aid from the Organization; it would consider such aid as interference in its internal affairs.

29. Mr. GROLIG (Germany) announced that his country would vote in favour of the sub-amendments, whose text met two important requirements, the first being the principle of strict respect for non-interference in the internal affairs of a State and the second being that electoral assistance would be granted only on the express request of a Member State, which was clearly specified in the paragraphs which the sub-amendments would reinsert in the initial draft resolution. Requesting the Secretary-General to solicit the views of Member States, specialized agencies and other competent bodies was entirely in conformity with usual practice.

30. A recorded vote was taken on the sub-amendments contained in document A/C.3/45/L.99.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chile, Congo, Costa Rica, Côte d'Ivoire, Czechoslovakia, Denmark, Dominican Republic, Egypt, El Salvador, Fiji, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kuwait, Liechtenstein, Luxembourg, Malaysia, Maldives, Malta, Mauritania, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Suriname, Sweden, Thailand, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia, Zaire.

Against: Angola, Burkina Faso, Burundi, China, Cuba, Ghana, Iran (Islamic Republic of), Lesotho, Mali, Mongolia, Myanmar, Nigeria, Sudan, Swaziland, Uganda, United Republic of Tanzania, Zambia, Zimbabwe.

Abstaining: Bhutan, Cameroon, Colombia, Cyprus, Ecuador, Ethiopia, Gabon, India, Iraq, Jordan, Kenya, Lebanon, Liberia, Mexico, Niger, Peru, Viet Nam, Yemen.

31. The sub-amendments contained in document A/C.3/45/L.99 were adopted by 82 votes to 18, with 18 abstentions.

32. Miss MANSARAY (Sierra Leone) said that her delegation had wished to vote against the text of the sub-amendments.

33. Mrs. HADDAD (Lebanon) said that her delegation had not wished to abstain in the vote on the text of the sub-amendments (A/C.3/45/L.99) but to vote in favour.

34. The CHAIRMAN invited the Committee to take a decision on the amendments submitted by Cuba and contained in document A/C.3/45/L.96* as a whole as modified by the adoption of the sub-amendments contained in document A/C.3/45/L.99.

35. Mr. PEÑALOSA (Colombia) requested a recorded vote.

36. Mr. RAVEN (United Kingdom) said that, since it had voted in favour of the sub-amendments (A/C.3/45/L.99), his country was therefore in favour of the amendments contained in document A/C.3/45/L.96*, as modified by the adoption of the sub-amendments.

37. A recorded vote was taken on amendments A/C.3/45/L.96*, as modified by the adoption of the sub-amendments contained in document A/C.3/45/L.99.

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Cape Verde, Chile, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominican Republic, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mongolia, Morocco, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: China, Colombia, Ecuador, Gabon, India, Liberia, Mexico, Nigeria, Peru.

38. The amendments contained in document A/C.3/45/L.96*, as modified by the adoption of the sub-amendments contained in document A/C.3/45/L.99, were adopted by 120 votes to none, with 9 abstentions.

Draft resolution A/C.3/45/L.56

39. The CHAIRMAN invited the Commission to take a decision on draft resolution A/C.3/45/L.56, as modified by the amendments contained in document A/C.3/45/L.96*, which had been modified by the adoption of the sub-amendments contained in document A/C.3/45/L.99.

40. Mr. MORA GODOY (Cuba) requested a separate recorded vote on the penultimate preambular paragraph (eighth preambular paragraph in the final version of the draft resolution) and on new paragraphs 10 and 11 (former paras. 3 and 4) of draft resolution A/C.3/45/L.56 as amended and announced that his delegation would vote against.

41. Mr. COTTAFAVI (Italy) said that he did not understand why Cuba, which had voted in favour of the amendments (A/C.3/45/L.96*) now wished to vote against certain paragraphs. He proposed that draft resolution A/C.3/45/L.56 should be adopted by consensus.

42. Mr. MORA GODOY (Cuba), replying to the question put by the representative of Italy, explained that document A/C.3/45/L.96*, as amended by the adoption of the sub-amendments (A/C.3/45/L.99) resulted in the insertion in draft resolution A/C.3/45/L.56 of several preambular and operative paragraphs, with only operative paragraph 8, as worded in paragraph 2 of document A/C.3/45/L.96*, disappearing. Thus, draft resolution A/C.3/45/L.56, as amended by document A/C.3/45/L.96*, which had been modified by document A/C.3/45/L.99, brought together elements of the initial draft resolution A/C.3/45/L.56 and the main part of the amendments (A/C.3/45/L.96*) which Cuba had wanted to insert. Nevertheless, as the final text of the draft resolution contained provisions that did not meet with the approval of his delegation, it felt obliged to request a separate vote on the provisions in question.

43. Mr HENNESSY (Ireland) supported by Mr. GROLIG (Germany), invoked rule 90 of the rules of procedure of the General Assembly, which stipulatd that where the adoption of one amendment necessarily implied the rejection of another amendment, the latter amendment should not be put to the vote. If one or more amendments were adopted, the amended proposal should then be voted upon.

44. Mrs. WARZAZI (Morocco) said that delegations were entitled to request a separate vote on any paragraph of a draft resolution.

45. Mr. RAVEN (United Kingdom), recalling that the relevant rule was more properly referred to as rule 130 of the rules of procedure of the Main Committees, said that, in his view, it applied to document A/C.3/45/L.99 and precluded a separate vote on the paragraphs in question.

46. The CHAIRMAN said that, having consulted the Office of Legal Affairs, he agreed with the Moroccan delegation that rule 90 of the rules of procedure did not apply to the present case. He therefore proposed that the three paragraphs in question should be put to the vote.

47. A recorded vote was taken on the eighth preambular paragraph of draft resolution A/C.3/45/L.56.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chile, Costa Rica, Côte d'Ivoire, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kuwait, Lebanon, Lesotho, Liechtenstein, Luxembourg, Malaysia, Maldives, Malta, Mauritania, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Suriname, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire.

Against: Angola, Burkina Faso, China, Congo, Cuba, Mali, Myanmar, Uganda, United Republic of Tanzania, Zambia, Zimbabwe.

Abstaining: Cameroon, Colombia, Ecuador, Gabon, Ghana, India, Mexico, Mongolia, Niger, Nigeria, Peru, Swaziland.

48. The eighth preambular paragraph of draft resolution A/C/3/45/L.56 was adopted by 96 votes to 11, with 12 abstentions.

49. A recorded vote was taken on new paragraph 10 (former para. 3) of draft resolution A/C.3/45/L.56.

In favour: Afghanistan, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chile, Costa Rica, Cyprus, Czechoslovakia, Denmark, Dominican Republic, El Salvador, Fiji, Finland, France, Germany,

Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kuwait, Lesotho, Liechtenstein, Luxembourg, Malaysia, Maldives, Malta, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Suriname, Sweden, Thailand, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia, Zaire.

Against: Angola, Burkina Faso, China, Colombia, Congo, Cuba, Iran (Islamic Republic of), Mali, Myanmar, United Republic of Tanzania, Zambia, Zimbabwe.

Abstaining: Algeria, Cameroon, Ecuador, Ethiopia, Gabon, Ghana, India, Mexico, Mongolia, Niger, Nigeria, Peru, Sudan, Swaziland, Uganda.

50. Paragraph 10 of draft resolution A/C.3/45/L.56 was adopted by 85 votes to 12, with 15 abstentions.

51. A recorded vote was taken on new paragraph 11 (former para. 4) of draft resolution A/C.3/45/L.56.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chile, Congo, Costa Rica, Cyprus, Czechoslovakia, Denmark, Dominican Republic, El Salvador, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kuwait, Lesotho, Liechtenstein, Luxembourg, Malaysia, Maldives, Malta, Mauritania, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Senegal, Singapore, Spain, Sri Lanka, Suriname, Sweden, Thailand, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire.

Against: Angola, Burkina Faso, China, Colombia, Cuba, Iran (Islamic Republic of), Mali, Myanmar, Sudan, United Republic of Tanzania, Zambia, Zimbabwe.

Abstaining: Cameroon, Ecuador, Ethiopia, Gabon, Ghana, India, Iraq, Mexico, Mongolia, Niger, Nigeria, Peru, Swaziland, Uganda.

52. Paragraph 11 of draft resolution A/C.3/45/L.56 was adopted by 88 votes to 12, with 14 abstentions.

53. A recorded vote was taken on draft resolution A/C.3/45/L.56 as a whole, as modified by the amendments contained in document A/C.3/45/L.96* incorporating the sub-amendments contained in document A/C.3/45/L.99.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chile, Costa Rica, Côte d'Ivoire, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kuwait, Lebanon, Lesotho, Liechtenstein, Luxembourg, Malawi, Malaysia, Maldives, Malta, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Angola, Burkina Faso, China, Cuba, Iran (Islamic Republic of), Mali, Mauritania, Mongolia, Myanmar.

Abstaining: Burundi, Cameroon, Colombia, Congo, Ecuador, Gabon, Ghana, India, Mexico, Niger, Peru, Uganda.

54. Draft resolution A/C.3/45/L.56, as modified by the amendments contained in document A/C.3/45/L.96* incorporating the sub-amendments contained in document A/C.3/45/L.99, was adopted by 106 votes to 9, with 12 abstentions.

The meeting rose at 7.10 p.m.

UNITED NATIONS

General Assembly

FORTY-FIFTH SESSION

Official Records

THIRD COMMITTEE
62nd meeting
held on
Tuesday, 4 December 1990
at 11 a.m.
New York

SUMMARY RECORD OF THE 62nd MEETING

Chairman: Mr. SOMAVIA (Chile)

CONTENTS

AGENDA ITEM 110: ENHANCING THE EFFECTIVENESS OF THE PRINCIPLE OF PERIODIC AND GENUINE ELECTIONS (continued)

AGENDA ITEM 100: CRIME PREVENTION AND CRIMINAL JUSTICE (continued)

AGENDA ITEM 108: INTERNATIONAL ACTION TO COMBAT DRUG ABUSE AND ILLICIT TRAFFICKING (continued)

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)

OTHER MATTERS

This record is subject to correction.
Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, Room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.3/45/SR.62
6 December 1990

ORIGINAL: ENGLISH

90-57497 3345S (E)

/...

The meeting was called to order at 11.30 a.m.

AGENDA ITEM 110: ENHANCING THE EFFECTIVENESS OF THE PRINCIPLE OF PERIODIC AND GENUINE ELECTIONS (continued)

Draft resolution on enhancing the effectiveness of the principle (A/C.3/45/L.56)

1. The CHAIRMAN invited the members of the Committee who wished to do so to speak in explanation of vote after the vote on draft resolution A/C.3/45/L.56 on enhancing the effectiveness of the principle of periodic and genuine elections.

2. Ms. MEHTA (India), speaking in explanation of vote, said that her delegation had abstained in the vote on draft resolution A/C.3/45/L.56, as amended by document A/C.3/45/L.96, because the draft resolution would prejudge the outcome of the consultations on the role to be played by the United Nations in assisting Member States, at their request, in holding elections. Furthermore, in the initial stage such consultations should be limited to the Member States which were best able to comment on the question. Her delegation had proposed specific formulations to sponsors of the draft resolution. Had they been accepted, the text would have been clearer and India would have been able to support it. She regretted that, in the circumstances, that had not been possible.

3. Mr. PEREIRA BURGOS (Panama) said that his delegation had voted in favour of draft resolution A/C.3/45/L.56 because its subject-matter was of great concern to all Governments committed to democratization and respect for the will of citizens expressed through free and periodic elections. He was particularly pleased that the draft resolution had been supported by the industrialized countries, which had traditionally disregarded the particular characteristics of Governments, especially when it suited their policies and interests. The countries that had supported the draft resolution were committed to the highest ideals of the international community, including its determination to ensure respect for the will of citizens expressed through periodic and genuine elections.

4. Mr. MAYORGA-CORTES (Nicaragua) said that his delegation had voted in favour of draft resolution A/C.3/45/L.56 because Nicaragua had recently received assistance from the United Nations in holding elections. In full exercise of its sovereignty and in accordance with the Esquipulas II accords, Nicaragua had requested and obtained technical co-operation from the United Nations in organizing its elections. Those elections had been of crucial importance as part of the difficult but irreversible process aimed at strengthening peace and democracy and promoting the country's over-all development. Reaffirming its commitment to the principles of the Charter, particularly the provisions of Article 2, he said that Nicaragua believed that United Nations technical support for the holding of elections should be provided in strict accordance of the requests made by States in full exercise of their sovereignty and independence. Requests for such co-operation must be evaluated on a case-by-case basis, with careful attention being given to the situations and procedures of individual countries.

5. Mr. QURESHI (Pakistan) said that his delegation had voted in favour of draft resolution A/C.3/45/L.56, in order to reaffirm the importance which his Government attached to the principle of periodic and genuine elections. Nevertheless, it should be emphasized that the implementation of that principle was not equivalent to the exercise of the right to self-determination of peoples under colonial domination or foreign occupation. The right to self-determination was a basic human right enshrined in various international instruments, particularly the Charter of the United Nations. Adherence to the principle of periodic and genuine elections, therefore, should not impede the efforts of peoples to exercise the right to self-determination in accordance with relevant United Nations resolutions and internationally established principles and practices.

6. Mrs. ASHTON (Bolivia) said that her country had supported draft resolution A/C.3/45/L.56 in keeping with its democratic traditions and respect for free, authentic and periodic elections. Nevertheless, her delegation would have preferred to have the Secretary-General consult exclusively with Member States concerning the necessary criteria for enabling the United Nations to respond to requests for electoral assistance on an ad hoc basis and thought that such requests should be considered on a case-by-case basis. In any event, in his consultations the Secretary-General should give priority to the views expressed by Member States. Furthermore, Bolivia's support for the draft resolution was based on the understanding that it involved only technical assistance in the electoral procedures of countries which requested it in full exercise of their sovereignty.

7. Mr. KANE (Mauritania) said that during the recorded vote on draft resolution A/C.3/45/L.56, his delegation had inadvertently made an error: it had intended to vote in favour of the draft resolution.

8. Mr. FUJITA (Brazil) said that his delegation had supported the adoption of the draft resolution under consideration because Brazil was strongly committed to the principle of periodic and genuine elections as enshrined in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The draft resolution contributed to efforts by the Organization to support democratic processes in countries which requested such support without impinging in any way on their national sovereignty. Nevertheless, it was his delegation's understanding that the adoption of the draft resolution did not prejudge the findings which the Secretary-General would report to the General Assembly at its forty-sixth session, as provided for in paragraph 4 of the draft resolution.

9. Mr. OKOBO (Congo) said that during the recorded vote on draft resolution A/C.3/45/L.56, his delegation had made an error: it had intended to vote in favour of the draft resolution.

Draft resolution on respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes (A/C.3/45/L.59)

10. Mr. MORA (Cuba) said that the delegation of Angola had joined the sponsors of draft resolution A/C.3/45/L.59. An amendment of a technical nature had been made

(Mr. Mora, Cuba)

to the text: the phrase "Recalling its resolution 44/147," should be added as the last preambular paragraph.

11. Mr. COTTAFAVI (Italy), speaking on behalf of the European Community in explanation of vote before the vote, said that the Twelve would vote against draft resolution A/C.3/45/L.59 in order to express their concern about the selective application of principles set forth in the Charter and their serious doubts about the appropriateness of considering such a controversial text under an agenda item usually dealt with in a spirit of co-operation. The draft resolution did not make any constructive contribution to the efforts of many delegations to enhance the effectiveness of the principle of periodic and genuine elections. While fully committed to the principles of the Charter referred to in the draft resolution, the Twelve objected to invoking of the Charter to justify the denial of the right of peoples to free and democratic elections. As with the promotion of human rights by the United Nations, the principle of free and democratic elections should be considered in conjunction with Articles 55 and 56 of the Charter.

12. Mr. PEREIRA BURGOS (Panama) said that his delegation would vote against draft resolution A/C.3/45/L.59 because it was at variance with both the spirit and content of draft resolution A/C.3/45/L.56, adopted at the previous meeting. In accordance with its position in support of international solidarity to guarantee the effective implementation of civil and political rights, his Government felt that paragraphs 3 and 5 of the draft resolution under consideration did not in any way promote guarantees for the exercise of human rights, particularly in the political field.

13. A recorded vote was taken on draft resolution A/C.3/45/L.59, as orally amended by the representative of Cuba.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Romania, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Byelorussian Soviet Socialist Republic, Cyprus, El Salvador, Malta, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Zaire.

14. Draft resolution A/C.3/45/L.59, as orally amended, was adopted by 94 votes to 32, with 7 abstentions.

15. Mr. ALFARO-PINEDA (El Salvador) explained that his delegation had abstained from voting on draft resolution A/C.3/45/L.59 because it felt that some of the sponsors were not in practice acting in conformity with the appeal made in paragraph 5 of that text.

16. The CHAIRMAN announced that the Committee had concluded its consideration of agenda item 110.

AGENDA ITEM 100: CRIME PREVENTION AND CRIMINAL JUSTICE (continued)

Draft decision A/C.3/45/L.102

17. The CHAIRMAN invited the Committee to reopen consideration of agenda item 100 on crime prevention and criminal justice in order to deal with a draft decision proposed by Sweden.

18. Mr. ENGFELDT (Sweden) said that following arduous consultations concerning amendments to draft resolution A/C.3/45/L.44 entitled "Enhancement of the United Nations structure for drug-abuse control" and submitted under agenda item 108, "International action to combat drug abuse and illicit trafficking", he was proposing draft decision A/C.3/45/L.102 for consideration by the Committee in the hope that it would be adopted by consensus. The delegation of Uganda had given its assurance that if draft decision A/C.3/45/L.102 was adopted, the amendments contained in document A/C.3/45/L.45 would be withdrawn.

19. The CHAIRMAN said that if he heard no objections, he would take it that the Committee wished to adopt draft decision A/C.3/45/L.102 without a vote.

20. Draft decision A/C.3/45/L.102 was adopted without a vote.

21. The CHAIRMAN announced the Committee's consideration of agenda item 100 on crime prevention and criminal justice was concluded.

AGENDA ITEM 108: INTERNATIONAL ACTION TO COMBAT DRUG ABUSE AND ILLICIT TRAFFICKING (continued)

Draft resolution A/C.3/45/L.44 on enhancement of the United Nations structure for drug-abuse control and amendments thereto in A/C.3/45/L.45, and programme budget implications in A/C.3/45/L.67 and L.68

22. The CHAIRMAN said that Costa Rica, the Philippines and Samoa wished to be added to the list of sponsors of draft resolution A/C.3/45/L.44.

23. Mr. SLABY (Czechoslovakia) said his delegation also wished to co-sponsor the draft.

24. Miss KAMAL (Secretary of the Committee) said the words "and that Convention" should be inserted between "1961," and "as amended ..." in the last preambular paragraph and that the word "thirty-fifth" should be changed to read "thirty-fourth" in paragraph 7.

25. Mr. IRUMBA (Uganda) said that in view of the Committee's adoption of the decision contained in A/C.3/45/L.102 concerning the United Nations African Institute for Crime Prevention and the Treatment of Offenders, his delegation would withdraw its proposed amendments (A/C.3/45/L.45) to draft resolution A/C.3/45/L.44. They had been intended to emphasize the global nature of the drug problem, the potential threat to Africa which drugs represented and the tremendous role which the Institute played in the African region. Moreover, it was his delegation's understanding that, on the basis of the report to be submitted by the Secretary-General at the forty-sixth session, a decision might be taken concerning the long-term financing of the African Institute and other autonomous institutes of the United Nations. For those reasons, his delegation was ready to join a consensus on draft resolution A/C.3/45/L.44.

26. Mrs. KABA (Côte d'Ivoire) said that her delegation wished to be added to the sponsors of draft resolution A/C.3/45/L.44.

27. Ms. DIEGUEZ-ARMAS (Mexico), speaking on behalf of the sponsors of draft resolution A/C.3/45/L.44, thanked the delegation of Uganda for the understanding and flexibility it had demonstrated by withdrawing its amendments, thereby making it possible to adopt the text without a vote. She regarded the action of the delegation of Uganda as a gesture of solidarity with other developing countries threatened by drugs.

28. The CHAIRMAN said that if he heard no objection, he would take it that the Committee wished to adopt draft resolution A/C.3/45/L.44 without a vote, on the understanding that the question of illicit drug control should continue to be treated as a social and economic matter by the Economic and Social Council and the General Assembly.

29. It was so decided.

30. Ms. TERANISHI (Japan) said that her delegation was keenly aware of the importance of enhancing the United Nations structure for drug abuse control and consequently had not stood in the way of the adoption of draft resolution A/C.3/45/L.44. Indeed, it supported the main objective of the resolution, but was opposed to the idea of achieving that objective merely by creating a new post at the level of Under-Secretary-General in circumstances in which the recommendations of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations had not been satisfactorily implemented.

31. The CHAIRMAN said the Committee had completed its consideration of agenda item 108.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)

Draft resolution on the situation of human rights in the Islamic Republic of Iran (A/C.3/45/L.93/Rev.1)

32. Mr. KRENKEL (Austria), introducing draft resolution A/C.3/45/L.93/Rev.1, noted that a small technical change had to be made in the fifth preambular paragraph: the words "important and" should be deleted, and the word "concerning" should be replaced by the words "and clarified".

33. He explained that the resolution was the result of consultations between the sponsors and the country concerned and expressed the hope that it would be adopted without a vote.

34. The CHAIRMAN said that unless he heard otherwise, he would take it that the Committee wished to adopt resolution A/C.3/45/L.93/Rev.1.

35. Draft resolution A/C.3/45/L.93/Rev.1 was adopted without a vote.

OTHER MATTERS

36. The CHAIRMAN read out a note prepared by the Secretariat with regard to the votes taken in the Committee the previous day. It stated that an examination of the record indicated that votes had been cast on behalf of Liberia, which was listed by the Secretary-General in his letter of 18 September 1990 to the President of the General Assembly (A/45/515) among those Member States which were in arrears in accordance with Article 19 of the Charter in the payment of their financial contributions to the Organization. Pursuant to Article 19, such Member States had no vote in the General Assembly. While the votes of the State concerned should not have been recorded, that technical error did not affect the results of the votes, which remained valid and stood as announced.

37. Ms. MEHTA (India) expressed her delegation's appreciation to the Committee for the tribute paid to the memory of Mrs. Vijaya Lakshmi Pandit, President of the eighth session of the General Assembly.

The meeting rose at 12.25 p.m.

UNITED NATIONS

General Assembly

FORTY-FIFTH SESSION

Official Records

THIRD COMMITTEE
63rd meeting
held on
Wednesday, 5 December 1990
at 3 p.m.
New York

SUMMARY RECORD OF THE 63rd MEETING

Chairman: Mr. SOMAVIA (Chile)

CONTENTS

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)

COMPLETION OF THE WORK OF THE COMMITTEE

This record is subject to correction
Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, Room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

90-57503 3374S (E)

Distr. GENERAL
A/C.3/45/SR.63
13 December 1990
ENGLISH
ORIGINAL: FRENCH

The meeting was called to order at 3.45 p.m.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)
(A/C.3/45/L.82/Rev.2, L.101; L.2, L.100, L.103)

Draft resolution A/C.3/45/L.82/Rev.2

1. Mr. MORA GODOY (Cuba), introducing revised draft resolution A/C.3/45/L.82/Rev.2 concerning the strengthening of United Nations action in the human rights field through the promotion of international co-operation and the importance of non-selectivity, impartiality and objectivity, said that, after lengthy consultations, it appeared that a consensus had been reached on the draft under consideration. Amendments had been made first of all to the title. Reference was no longer made to "strict observance of the principle of non-intervention" but to "the importance of non-selectivity, impartiality and objectivity". The Spanish text should read "la importancia" instead of "importancia". The definite article had already been included in the English and French versions of the text.

2. The third and fourth preambular paragraphs remained virtually unchanged. On the other hand, the fifth preambular paragraph was completely new. The General Assembly reaffirmed that Member States should continue to act, for the purposes stated in the preceding paragraph, in conformity with the provisions of the Charter. The new ninth preambular paragraph recalled General Assembly resolutions 37/200, 41/155 and 43/155 and not just resolution 32/130, which produced a more balanced text. The tenth preambular paragraph retained only the references to General Assembly resolutions 2131 (XX), 2625 (XXV) and 36/103, omitting the remainder of the text. In order to take into account the concerns voiced by a number of delegations in paragraph 2, the sentence "Affirms the responsibility of Member States to promote ..." had been replaced by the sentence "Reaffirms that it is a purpose of the United Nations and the task of all Member States in co-operation with the Organization to promote ...".

3. Paragraph 5 had been completely reworded. In its new form, it affirmed that the promotion of human rights should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends. The text of paragraph 6 had been amended to make it more general. For example, the reference to "an atmosphere of détente" had been deleted. In paragraph 7, only the beginning of the text of draft resolution A/C.3/45/L.82/Rev.1 had been retained, so that it read: "Underlines, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;". Paragraph 8 was also more general than that of the previous draft. In paragraph 9, the phrase requesting the Commission on Human Rights to report, through the Economic and Social Council, to the General Assembly at its forty-sixth session had been deleted.

4. Last minute consultations had resulted in two changes in the text of draft resolution A/C.3/45/L.82/Rev.2. It was proposed that in the seventh and twelfth preambular paragraphs, as well as in paragraph 8, the expression "including the

(Mr. Mora Godoy, Cuba)

Charter" should be replaced by the expression "in particular the Charter". In addition, in paragraph 1, the words "including respect for territorial integrity" should be added to the end of the text.

5. Lastly, he said that the delegation of New Zealand had just informed him that, in paragraph 6 of the English version, the words "as well as" should be inserted between the phrases "promotion of international co-operation" and "to an effective promotion, ...".

6. He hoped that draft resolution A/C.3/45/L.82/Rev.2, as orally revised, could be adopted by consensus and that it would mark the beginning of a new era of international co-operation in the promotion and protection of human rights, having regard to the importance of the principles of non-selectivity, impartiality and objectivity, which excluded any manipulation of human rights for political ends.

7. Mrs. WARZAZI (Morocco) congratulated the delegation of Cuba for having introduced a draft resolution which emphasized non-selectivity, impartiality and objectivity in the field of human rights. Ever since the Third Committee had had the case of Chile referred to it, the delegation of Morocco had always insisted that the question of the promotion of human rights should not be exploited for political ends because it felt that it would be extremely harmful in that regard if some countries were subjected to defamation campaigns while they were endeavouring to promote human rights in a difficult situation. The delegation of Morocco had, therefore, joined the consensus which had been reached on the draft resolution under consideration.

8. Draft resolution A/C.3/45/L.82/Rev.2 as orally revised was adopted without a vote.

9. The sponsors withdrew their amendments to draft resolution A/C.3/45/L.82, contained in document A/C.3/45/L.101.

10. Mr. WALDROP (United States) said that his delegation had joined in the adoption without a vote of draft resolution A/C.3/45/L.82/Rev.2 in the hope that the principles cited in the text and set forth both in the Universal Declaration of Human Rights and in other human rights instruments adopted by the United Nations would be implemented by all Member States. As provided in Articles 55 and 56 of the Charter, the Organization and all its Members were required to work together for "universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion". In his delegation's view, those obligations constituted the essential meaning of the draft resolution just adopted.

11. Mr. COTTAFAVI (Italy), speaking on behalf of the EEC member countries, said that the Twelve had joined the consensus on draft resolution A/C.3/45/L.82/Rev.2, and wished to point out that the draft resolution just adopted should not give the impression that the measures taken to promote or protect human rights and fundamental freedoms could constitute interference in the internal affairs of a

(Mr. Cottafavi, Italy)

State. That viewpoint was confirmed by international law and by the very existence of the International Court of Justice. Lastly, the Twelve recalled once again in that context, the principles set forth in Articles 55 and 56 of the Charter.

12. Ms. COOMBS (New Zealand) said that the resolution just adopted reaffirmed important human rights principles that should be respected by Member States. Since those principles had already been set out in detail in the United Nations Charter, the Universal Declaration on Human Rights and in the two International Covenants on human rights, there was, therefore, no reason to draft a new resolution on them. The principle of the universality of human rights and the obligation contracted by Member States to co-operate to ensure universal and effective respect for those rights and fundamental freedoms were clearly set forth in Articles 55 and 56 of the Charter. Any new approach to those questions needed to be thoroughly studied, and, while her delegation appreciated the efforts made by the various delegations concerned to arrive at a text which could gain a consensus, she none the less regretted the haste with which the draft had had to be considered.

13. In any event, it did not appear that there was any point in the Commission on Human Rights continuing consideration of the question because its agenda was crowded and its work had to be focused on the non-selective, impartial and objective application of the existing standards.

14. Mr. DUHS (Sweden) said that the Nordic countries reserved the right to explain their position on the resolution in plenary session.

15. Mr. PEREIRA-BURGOS (Panama) said that his delegation had joined the consensus that had emerged on draft resolution A/C.3/45/L.82/Rev.2, the text of which, as a result of the amendments of Australia and the United Kingdom, was very different from the initial draft.

16. The previous day, a retired colonel of the Panamanian police force had led an uprising against the President of the Republic with a view to re-establishing the military Government which, for 21 years, had been destroying the political, economic and social fabric of the country. Twenty-four hours earlier, in Argentina, another group had tried to overthrow the régime of President Menem. In both cases, the attempted coup d'état had failed. However, if it had succeeded, Panama and Argentina would have found themselves back in the macabre situation which the Commission on Human Rights knew well. The two peoples would once again have been subjected to torture, silence and exile, and the dictatorship would have been protected by the sacrosanct principle of non-intervention. For that reason, his delegation pronounced itself resolutely in favour of respect for the principles set forth in the draft resolution that had just been adopted, so that no State, whatever its political régime, should have absolute power.

17. He wished to have included in the summary record of the current meeting the first two preambular paragraphs cited in paragraph 9 of the amendments submitted by the Australian and United Kingdom delegations to draft resolution A/C.3/45/L.82, which had been withdrawn by their sponsors and had been issued in document A/C.3/45/L.101. The two paragraphs read as follows:

(Mr. Pereira-Burgos, Panama)

"Bearing in mind also that mass and flagrant violations of human rights in one State may threaten the peace and development of neighouring States, of a region or of the international community as a whole,

"Recognizing that violations of human rights, wherever they exist, are of concern to the United Nations,".

18. In Panama, the death penalty did not exist, and all persons who had participated in the attempted coup d'état would be judged in due form. Public opinion had never supported those members of the military who did not understand that they were responsible for the economic and social bankruptcy that the current constitutional Government had inherited. The positive element in the cases of Panama and Argentina, was the will of the people to reject members of the military who rushed into such adventures.

19. Mr. DU (China) said that, as the draft resolution had been distributed late, his delegation had not had time to receive the instructions of its Government on the subject. It hoped, therefore, that it would be authorized to give its decision on that text at a plenary meeting of the General Assembly before it was put to the vote.

20. The CHAIRMAN confirmed that the rules of procedure authorized delegations who so wished to explain their position in plenary session.

Rationalization of the work of the Third Committee (A/C.3/45/L.100)

21. The CHAIRMAN invited members of the Committee to consider the last important question before them under agenda item 12. He recalled that, at its 2nd meeting, on 21 October, the Committee had established an open-ended working group to consider means of rationalizing the programme of work of the Committee, including the proposals submitted to the Committee in document A/C.3/45/L.2. The report of that Working Group was issued as document A/C.3/45/L.100.

22. Mrs. SHERMAN-PETER (Bahamas), speaking as assistant to the Chairman on that item, read out the few changes of a technical nature that had been made in the report of the Working Group, following informal consultations.

23. In the first line of paragraph 1 of document A/C.3/45/L.100, after the words "24 September", the word "1990" should be added. At the foot of page 3 of the document, the following words should be added between parentheses after the text of footnote 4: "This arrangement will be reviewed at the conclusion of the work of the Third Committee at the forty-fifth session of the General Assembly". On page 9, between the words "World conference on human rights" and the words "Torture and inhuman treatment, etc.,", the following should be added: "Developments relating to the Centre for Human Rights". At the foot of the same page, the last four lines should be deleted. On page 11, a colon should be added at the end of the fourth line from the end.

24. Miss KAMAL (Secretary of the Committee) added that, on page 15 of the report, under the head "Documentation", the sixth paragraph should be deleted.

25. Document A/C.3/45/L.100, as amended, was adopted without a vote.

Draft resolution A/C.3/45/L.103

26. The CHAIRMAN invited the members of the Committee to consider the draft resolution which he had proposed, entitled "Rationalization of the work of the Third Committee".

27. Draft resolution A/C.3/45/L.103 was adopted without a vote.

28. The CHAIRMAN announced that the Committee had concluded its consideration of agenda item 12.

29. Mr. KRENKEL (Austria) paid tribute to all the delegations which had contributed to the process of the rationalization of the work of the Committee, in particular, to the Working Group which had drawn up the report contained in document A/C.3/45/L.100, to Mrs. Sherman-Peter (Bahamas), who, by her competence had considerably facilitated the task, to Mrs. BENARI (Acting Secretary of the Committee) whose assistance and professional experience had been basically decisive, and to all the officers and the secretariat of the Committee.

30. The CHAIRMAN said that he was satisfied with the outcome of the work of the Committee, which, having finally managed to rationalize its programme, would, in the future, be more efficient. He thanked all those who had been unsparing with their efforts towards that goal and paid special tribute to the representatives of Austria and Australia for their work of co-ordination. He stressed also the irreplaceable role of all the officers and the secretariat of the Committee. The adoption of resolution A/C.3/45/L.103 would unquestionably constitute an important step.

31. Mr. RAVEN (United Kingdom), referring to draft resolutions A/C.3/45/L.62 and L.72, both of which dealt with the financing of human rights bodies, stressed the great importance which his country had always attached to that question. He regretted, in particular, that the Centre for Human Rights did not have all the resources it needed.

32. As Member States were, in his view, responsible to a large extent for the financial problems of the United Nations, he launched an appeal to those countries which were in arrears in paying their contributions to discharge their financial obligations as soon as possible.

33. The meeting was suspended at 4.35 p.m. and resumed at 6.40 p.m.

COMPLETION OF THE COMMITTEE'S WORK

34. An exchange of courtesies took place, in which Mrs. MULINDWA MATOW (Uganda), on behalf of the Group of African States, Mr. OMRAN (United Arab Emirates), on behalf of the Group of Asian States, Mr. OLIYNYK (Soviet Socialist Republic of Ukraine), on behalf of the Group of Eastern European States, Mr. CASAJUANA (Spain), on behalf of the Group of Western European and Other States, and Mr. SARDENBERG (Brazil), on behalf of the Group of Latin American and Caribbean States, took part.

35. The CHAIRMAN after thanking all those who had contributed to the success of the work of the Third Committee, said that the strength of the Committee lay in its personality and charisma, traits which would be valuable to it in the future. The end of the cold war and the advance of democracy, positive elements in themselves, tended to obscure the fact that the evolution of the social situation in the world was rather negative. Poverty was increasing, as well as unemployment, to the point where it had become possible to speak of a retreat of social democracy in the face of the advance of political democracy. The Third Committee would therefore be called upon to make a more thorough analysis of social questions. Moreover, the dissolution of the ideological blocs, which was a great relief for the countries concerned, might nevertheless create a vacuum; the danger therefore existed of seeing the emergence of a dehumanized world in which decisions would be taken in a purely technocratic way. It was for the Third Committee to study the values that united countries on the social level. Since the Third Committee was the higher forum of the international community in which all quesions relating to human beings were dealt with, its members were therefore invested in that regard with a heavy responsibility.

36. In conclusion, he stressed the symbolic significance of the fact that the chairmanship of the Third Committee at the forty-fifth session of the General Assembly had been entrusted to a representative of Chile, a country whose situation with regard to human rights had long been the focus of the Third Committee's attention. In that continued attention, he saw an example of a very understandable selectivity which showed the justification for United Nations action in the field of human rights.

The meeting rose at 5.20 p.m.